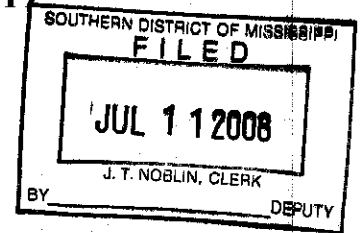


FORM TO BE USED BY PRISONERS IN FILING A COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983
IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

COMPLAINT



SKINNER T9841
 (Last Name) (Identification Number)

JAMES LEE
 (First Name) (Middle Name)

SMCI
 (Institution)

1419 LEAKESVILLE MS 39451
 (Address)
 (Enter above the full name of the plaintiff, prisoner, and address plaintiff in this action)

CIVIL ACTION NUMBER: 2:08cv143-KS-MTP
 (to be completed by the Court)

v.
PENNY BUFIN

RONALD KING

CHRISTOPHER B. EPPS

THERESA SEABROOK
 (Enter above the full name of the defendant or defendants in this action)

OTHER LAWSUITS FILED BY PLAINTIFF

NOTICE AND WARNING:

The plaintiff must fully complete the following questions. Failure to do so may result in your case being dismissed.

A. Have you ever filed any other lawsuits in a court of the United States? Yes () No (X)

B. If your answer to A is yes, complete the following information for each and every civil action and appeal filed by you. (If there is more than one action, complete the following information for the additional actions on the reverse side of this page or additional sheets of paper.)

1. Parties to the action: _____

2. Court (if federal court, name the district; if state court, name the county): _____

3. Docket Number: _____

4. Name of judge to whom case was assigned: _____

5. Disposition (for example: was the case dismissed? If so, what grounds? Was it appealed? Is it still pending?): _____

PARTIES

(In item I below, place your name and prisoner number in the first blank and place your present address in the second blank. Do the same for additional plaintiff, if any).

I. Name of plaintiff: JAMES LEE SKINNER Prisoner Number: T9841

Address: SMCI P.O. BOX 1419 LEAKESVILLE MS. 39451

(In item II below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use the space below item II for the names, positions, and places of employment of any additional defendants.)

II. Defendant: PENNY BUFIN is employed as

CID GANG COORDINATOR at SMCI

P.O. BOX 1419 LEAKESVILLE MS. 39451

The plaintiff is responsible for providing the court the name and address of each plaintiff(s) as well as the name(s) and address(es) of each defendant(s). Therefore, the plaintiff is required to complete the portion below:

PLAINTIFF:

NAME:

ADDRESS:

DEFENDANT(S):

NAME:

ADDRESS:

DON LEWIS / Captain

SMCI P.O. BOX 1419 LEAKESVILLE MS. 39451

MICHAEL GARNY / CO I

SMCI P.O. BOX 1419 LEAKESVILLE MS. 39451

LONNIE MILLS / CO II

SMCI P.O. BOX 1419 LEAKESVILLE MS. 39451

KIMBERLY GREEN / CO

SMCI P.O. BOX 1419 LEAKESVILLE MS. 39451

CHARLES SCARBOROUGH / CM

SMCI P.O. BOX 1419 LEAKESVILLE MS. 39451

WALLANCE CARPENTER / CO

SMCI P.O. BOX 1419 LEAKESVILLE MS. 39451

GRANER LEVERETTE / CO II

SMCI P.O. BOX 1419 LEAKESVILLE MS. 39451

MELVIN JONES #02104 / INMATE

SMCI P.O. BOX 1419 LEAKESVILLE MS. 39451

GENERAL INFORMATION

A. At the time of the incident complained of in this complaint, were you incarcerated because you had been convicted of a crime?

Yes (☒) No (☐)

B. Are you presently incarcerated for a parole or probation violation?

Yes (☒) No (☐)

C. At the time of the incident complained of in this complaint, were you an inmate of the Mississippi Department of Corrections (MDOC)?

Yes (☒) No (☐)

D. Are you currently an inmate of the Mississippi Department of Corrections (MDOC)?

Yes (☒) No (☐)

E. Have you completed the Administrative Remedy Program regarding the claims presented in this complaint?

Yes (☒) No (☐), if so, state the results of the procedure: ALL THREE STEP'S HAVE BEEN DENIED, BASED ON THE CASEMANAGER'S RECOMMENDATION AND NO RELIEF COULD BE GIVEN.

F. If you are not an inmate of the Mississippi Department of Corrections, answer the following questions:

1. Did you present the facts relating to your complaint to the administrative or grievance procedure in your institution?

Yes (☒) No (☐)

2. State how your claims were presented (written request, verbal request, request for forms):

WRITTEN REQUEST - VERBAL REQUEST

3. State the date your claims were presented:

1-24-08

4. State the result of the procedure:

ALL THREE STEP'S HAVE BEEN DENIED, BASED ON THE CASEMANAGER'S RECOMMENDATION AND NO RELIEF COULD BE GIVEN.

STATEMENT OF CLAIM

III. State here as briefly as possible the facts of your case. Describe how each defendant is involved. Also, include the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of different claims, number and set forth each claim in a separate paragraph. (Use as much space as you need; attach extra sheet if necessary.)

- 1) On the day of 5-15-07 I WAS CLASSIFIED STG CORE MEMBER TO A (6) SIX MONTH TERM BY POLICY, MEETING ALL QUALIFICATIONS I SHOULD HAVE BEEN DISMISSED FROM THIS PROGRAM, UPGRADDED TO B-CUSTODY AND RELEASED FROM LOCKDOWN ON THE DAY OF 11-15-07 BY POLICY STANDARDS.
- 2) On the day of 1-9-08 WHILE ON STG MR. MELVIN JONES #02104 WAS WRITING UP UNDER VIOLATION #25, WHILE PENDING WITH THIS RVR THIS OFFENDER WAS CLASSIFIED AND RELEASED FROM STG LOCKDOWN BY CID PENNYBUFFIN ON THE DAY OF 1-15-08.
- 3) On the day of 1-15-08 THIS OFFENDER WAS DENIED RELEASE FOR AN RVR HE HAD NOT RECEIVED, OFFICER WALLANCE CARPENTER STATED HE WAS GIVEN A DIRECT ORDER TO WRITE A FALSE RVR "BUT WOULD NOT STATE BY WHO'S ORDER."

RELIEF

IV. State what relief you seek from the court. Make no legal arguments. Cite no cases or statutes.

I REQUEST TO BE RELEASED FROM STG IN FULL, UPGRADDED AND PLACED ON AN ADMINISTRATIVE MOVEMENT TO GEORGE COUNTY. I REQUEST THAT RVR #66421, RVR #67095 AND RVR #67224 BE DISMISSED FROM RECORD. I REQUEST FOR THE INFRACTIONS OF DISCRIMINATION, CRUEL UNUSUAL PUNISHMENT, CORPORAL PUNISHMENT, BEING ASSAULTED BY A STAFF MEMBER WHILE RESTRAINT, PAIN,

Signed this 17 day of JUNE

, 20 08

Mr. James Lee Shimmer T9841
SMCI P.O. BOX 1419 LEAKESVILLE MS. 39451
Signature of plaintiff, prisoner number and address of plaintiff

I declare under penalty of perjury that the foregoing is true and correct.

JUNE-17-2008
(Date)

Mr. James Lee Shimmer
Signature of plaintiff

CONTINUANCE:

STATEMENT OF CLAIM

4) ON the day OF 3-18-08 CAPTAIN DON LEWIS while in ANOTHER building called to STU#7 AND ORDERED this OFFICER MICHAEL GARNEY to write up this OFFENDER FOR AN INFRACTION I did NOT do, this OFFICER stated: I DDNT WANT TO WRITE IT CAUSE YOU'VE DONE NOTHING WRDNG" BUT I DDNT HAVE A CHODSE.

5) ON the day OF 5-16-08 this OFFENDER WAS ASSAULTED while hand cuffed in his cell by OFFICER GRANER LEVERETTE, the tower OFFICER KIMBERLY GREEN SEEN this AND CALLED FOR ASSISTANCE. This OFFENDER WAS DENIED MEDICAL ATTENTION AFTER the incident FOR OVER 21 HOUR'S, later this day 5-16-08 this OFFENDER RECIEVED AN RVR stating I REFUSED TO GO IN MY CELL. As A witness ON this RVR this OFFICER KIMBERLY GREEN stated: I DID REFUSE. When QUESTIONED AS to why she LIED it WAS STATED: I HAVE TO GO ALONG WITH WHAT THE OFFICER SAYS OR I'LL GET IN TRDUBLE FOR SIDING WITH AN INMATE..

RELIEF

- SUFFERING BEING DENIED MEDICAL ATTENTION AND the VIOLATION OF DUE PROCESS UNDER LIBERTY I BE COMDENATED the SUM OF \$10,000...

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

JUNE-17-2008

(DATE)

Mr. James Lee Skinner
SIGNATURE OF PLAINTIFF

ORIGINAL COURT COPY

ARP FORM

MISSISSIPPI DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REMEDY PROGRAM

CASE NUMBER

TO: Legal Claims Adjudicator

FROM:

MR. JAMES LEE SKINNER T9844
Inmate Name MDOC #

7

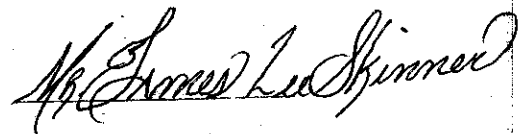
Unit

DATE:

1-24-08

This is a Request for Administrative Remedy

On the day of 5-15-07 I WAS CLASSIFIED
STG CORE MEMBER TO A (6) SIX MONTH term in the program by policy, by policy on
the day of 11-15-07 I completed a full (6) six month term meeting all require
ments to be upgraded and so released by CID PENNY BUFIN. On this day I
was not released by PENNY BUFIN and was informed by CASEMANAGER
CHARLES SCARBOROUGH that PENNY BUFIN would not release me until
the next quarter, this is in turn a form of CRUEL UNUSUAL AND CORPORAL
PUNISHMENT. On the day of 1-15-08 I received a notice from the STG
COMMITTEE that states I HAVE AN RVR pending "but at the time of
RECEIVING this notice I in truth had NEVER SEEN, signed OR REFUSED to
sign ANY RVR, so it is truth in stating that I was denied FOR AN RVR I
did not have. No justification can be shown as to why I WAS NOT RELEASED
ON 11-15-07 OR 1-15-08; my point status WAS A FULL COUNT OF (19)
NINETEEN which is also B-CUSTODY" but I WAS still housed STG-D-CUSTODY.
MR. MELVIN JONES #02104. WAS WROTE UP while ON STG ON the day of



Inmate Signature

1-9-08 AND with this RVR pending he WAS IN FACT CLASSIFIED AND RELEASED FROM
STG STATUS by CID PENNY BUFIN ON 1-15-08. ON the day of 2-8-08
MR. JONES WAS FOUND guilty OF RVR #66697 but WAS still RELEASED to GENERAL
POPULATION by PENNY BUFIN while by HER ORDER I WAS FORCED to STAY in lock
down. [REDACTED] I REQUEST that I be UPGRADEd AND SO RELEASED FROM lockdown STG,
ALSO that I be PLACED ON AN ADMINISTRATIVE MOVEMENT to GEORGE COUNTY AND that
RVR #66421 be DISMISSED in FULL. I FEEL the STAFF will RETAILATE AGAINST ME UP
ON PENNY BUFIN'S WORD TO DO ME BODILY HARM.

Mr. James Lee Skinner

I DECLARE UNDER PENALTY OF PERJURY that the foregoing is TRUE

COMPLAINT

JAMES LEE SKINNER #T9841

V.

THERESA SEABROOK: ASSOCIATE WARDEN

ON the day of 5-15-07 I was classified STG CORE MEMBER TO A (G) SIX MONTH term in the program by policy, by policy ON the day of 11-15-07 I completed a full (G) SIX MONTH term meeting all the REQUIREMENTS to be upgraded and so released by CID PENNY BUFIN. ON this day I WAS NOT released by PENNY BUFIN and was informed by CASEMANAGER CHARLES SCARBOROUGH that PENNY BUFIN would NOT release me UNTILL the next quarter, this is in turn a FORM OF CRUEL UNUSUAL AND CORPORAL PUNISHMENT. ON the day of 1-15-08 I RECEIVED A NOTICE FROM the STG COMMITTEE that STATES I HAVE AN RVR PENDING "but at the time OF RECEIVING this NOTICE I INTRUTH had NEVER SEEN, signed OR REFUSED to sign ANY RVR, so it is truth in stating that I WAS DENIED FOR AN RVR I did NOT HAVE. NO justification can be SHOWN AS to why I WAS NOT released ON 11-15-07 OR 1-15-08, MY POINT STATUS WAS A FULL COUNT OF (19) NINETEEN which is ALSO B-CUSTODY" but I WAS still HOUSED STG D-CUSTODY.

MR. MELVIN JONES #02104 WAS WROTE UP WHILE ON STG ON the day OF 1-9-08 AND with this RVR pending he WAS INFACT CLASSIFIED AND released FROM STG STATUS by CID PENNY BUFIN ON 1-15-08, ON the day OF 2-8-08 MR. JONES WAS FOUND GUILTY OF RVR #66697 but WAS still released to general population by PENNY BUFIN while by her ORDER I WAS FORCED to stay in lockdown. I REQUEST that I be upgraded AND so released FROM lockdown STG, ALSO that I be PLACED ON AN Administrative MOVEMENT to GEORGE COUNTY AND that RVR #66421 be dismissed in full. I FEEL the STAFF will RETAILATE AGAINST ME UPON PENNY BUFIN'S WORD TO DO ME BODILY HARM.

■ I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE

Mr. James Lee Skinner

COMPLAINT

JAMES LEE SKINNER # T9841

V.

CHRISTOPHER B. EPPS: COMMISSIONER

On the day of 5-15-07 I was classified STG COREMEMBER to a (6) six month term in the program by policy, by policy on the day of 11-15-07 I completed a full (6) six month term meeting all the requirements to be upgraded and so released by CID PENNYBUFIN. On this day I was not released by PENNYBUFIN and was informed by CASEMANAGER CHARLES SCARBOROUGH that PENNYBUFIN would not release me until the next quarter, this is in turn a form of CRUEL UNUSUAL AND CORPORAL PUNISHMENT. On the day of 1-15-08 I received a notice from the STG COMMITTEE that states I have an RVR pending "but at the time of receiving this notice I in truth had never seen, signed or refused to sign any RVR, so it is truth in stating that I was denied for an RVR I did not have. No justification can be shown as to why I was not released on 11-15-07 or 1-15-08, my point status was a full count of (19) NINETEEN which is also B-CUSTODY "but I was still housed STG-D CUSTODY. MR. MELVIN JONES # D2104 was wrote up while on STG on the day 1-9-08 and with this RVR pending he was in fact classified and released from STG STATUS by CID PENNYBUFIN ON 1-15-08, ON the day of 2-8-08 MR. JONES was found guilty of RVR # 66697 but was still released to general population by PENNYBUFIN while by her order I was forced to stay in lockdown. I request that I be upgraded and so released from lockdown STG, also that I be placed on an Administrative Movement to GEORGE COUNTY and that RVR # 66421 be dismissed in full. I feel [REDACTED] the staff will retaliate against me upon PENNYBUFIN'S WORD TO DO ME BODILY HARM.

Mr. James Lee Skinner

I DECLARE UNDER PENALTY OF PERJURY THAT THE FORGOING IS TRUE

COMPLAINT

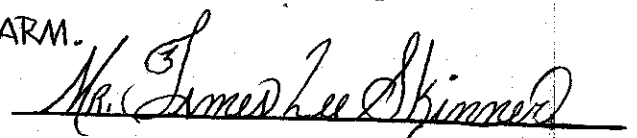
JAMES LEE SKINNER #T9841

V

RONALD KING, SUPERINTENDENT

ON the day OF 5-15-07 I WAS CLASSIFIED STG COREMEMBER TO A (b) SIX MONTH TERM IN THE PROGRAM BY POLICY, BY POLICY ON the day OF 11-15-07 I COMPLETED A FULL (b) SIX MONTH TERM MEETING ALL the REQUIREMENTS to be upgraded AND SO RELEASED BY CID PENNYBUFIN. ON this day I WAS NOT RELEASED BY PENNYBUFIN AND WAS INFORMED BY CASEMANAGER CHARLES SCARBOROUGH that PENNYBUFIN WOULD NOT RELEASE ME UNTILL the NEXT QUARTER, this is in turn A FORM OF CRUEL UNUSUAL AND CORPORAL PUNISHMENT. ON the day OF 1-15-08 I RECEIVED A NOTICE FROM the STG COMMITTEE that STATES I HAVE AN RVR PENDING "but AT the time OF RECEIVING this NOTICE I IN TRUTH HAD NEVER SEEN, SIGNED OR REFUSED to sign ANY RVR, so it is truth in stating that I WAS DENIED FOR AN RVR I did NOT HAVE. NO justification CAN BE SHOWN AS to why I WAS NOT RELEASED ON 11-15-07 OR 1-15-08, MY POINT STATUS WAS A FULL COUNT OF (19) NINETEEN which is ALSO B-CUSTODY "but I WAS STILL HOUSED STG D-CUSTODY. MR. MELVIN JONES # D2104 WAS WRTE UP WHILE ON STG ON the day OF 1-9-08 AND WITH this RVR PENDING he WAS IN FACT CLASSIFIED AND RELEASED FROM STG STATUS BY CID PENNYBUFIN ON 1-15-08, ON the day OF 2-8-08 MR. JONES WAS FOUND GUILTY OF RVR # 66697 but WAS STILL RELEASED to GENERAL POPULATION BY PENNYBUFIN while by her ORDER I WAS FORCED to STAY IN LOCKDOWN. I REQUEST that I BE UPGRADED AND SO RELEASED FROM LOCKDOWN STG, ALSO that I BE PLACED ON AN ADMINISTRATIVE MOVEMENT to GEORGE COUNTY AND that RVR # 66421 BE DISMISSED IN FULL. I FEEL the STAFF WILL RETALIATE AGAINST ME UP ON PENNYBUFIN'S WORD TO DO ME BODILY HARM.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE



COMPLAINT

JAMES LEE SKINNER #T9841

V.

PENNY BUFIN : CID: GANG COORDINATOR

ON the day of 5-15-07 I WAS CLASSIFIED STG COREMEMBER TO A (G) SIX MONTH TERM IN THE PROGRAM BY POLICY, BY POLICY ON the day of 11-15-07 I COMPLETED A FULL (G) SIX MONTH TERM MEETING ALL the REQUIREMENTS to be UPGRADED AND SO RELEASED BY CID PENNY BUFIN. ON this day I WAS NOT RELEASED BY PENNY BUFIN AND WAS INFORMED by CASEMANAGER CHARLES SCARBOROUGH that PENNY BUFIN WOULD NOT RELEASE ME UNTILL the NEXT QUARTER, this is in turn A FORM OF CRUEL UNUSUAL AND CORPORAL PUNISHMENT. ON the day of 1-15-08 I RECEIVED A NOTICE FROM the STG COMMITTEE that STATES I HAVE AN RVR PENDING" but AT the TIME OF RECEIVING this NOTICE I IN TRUTH HAD NEVER SEEN, SIGNED OR REFUSED to sign ANY RVR, so it is truth in stating that I WAS DENIED FOR AN RVR I did not have. NO justification can be shown AS to why I WAS NOT RELEASED ON 11-15-07 OR 1-15-08. MY POINT STATUS WAS A FULL COUNT OF (19) NINETEEN which is also B-CUSTODY" but I WAS still HOUSED STG D-CUSTODY. MR. MELVIN JONES #DZ104 WAS WROTE UP while ON STG ON the day of 1-9-08 AND with this RVR PENDING he WAS in fact CLASSIFIED AND RELEASED FROM STG STATUS BY CID PENNY BUFIN ON 1-15-08, ON the day of 2-8-08 MR. JONES WAS FOUND GUILTY OF RVR # 66697 but WAS still RELEASED to GENERAL POPULATION by PENNY BUFIN while by HER ORDER I WAS FORCED to stay in lockdown. I REQUEST that I BE UPGRADED AND SO RELEASED FROM lockdown STG, ALSO that I BE PLACED ON AN ADMINISTRATIVE MOVEMENT to GEORGE COUNTY AND that RVR # 66421 BE DISMISSED IN FULL. I FEEL the STAFF will RETAILATE AGAINST ME UPON PENNY BUFIN'S WORD TO DO ME BODILY HARM.

James Lee Skinner

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